

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.06.2015

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.15730 of 2015

M.Venkatasami

...

Petitioner

Vs

State by Inspector of Police,
CSCID, Foodcell Police,
Krishnagiri (Cr.No.60/2015) ... Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to call for the records in Crime No.60 of 2015 on the file of the respondent and quash the FIR in the above case.

For Petitioner :Mr.M.Balaji

For Respondent :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This petition has been filed to quash the First Information Report, that has been registered by the respondent police in Crime No.60 of 2015 on 25.03.2015 for the offence under Section 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)a(ii) of Essential Commodities Act.

2.The police apprehended one Srinivasan on 25.03.2015 who was found in possession of ration rice and wheat. During the course of investigation, it came to light that this petitioner, who was working in the ration shop, had illegally sold the rice and wheat to the said Srinivasan. Therefore, the Police named him as second accused in the First Information Report.

3.Learned counsel appearing for the petitioner submitted that in the departmental enquiry, he has been exonerated and therefore, the First Information Report should be quashed.

4.On reading the findings given in the departmental enquiry, it is clearly stated that the petitioner is exonerated without prejudice to the criminal prosecution against him. Since there are sufficient materials for the police to proceed with the investigation, this Court cannot quash the First Information Report at this stage. May

be, the police may even drop the name of the accused in the final report for want of sufficient materials against him, but that process cannot be stifled now.

5. With the above observation, the criminal original petition is closed.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

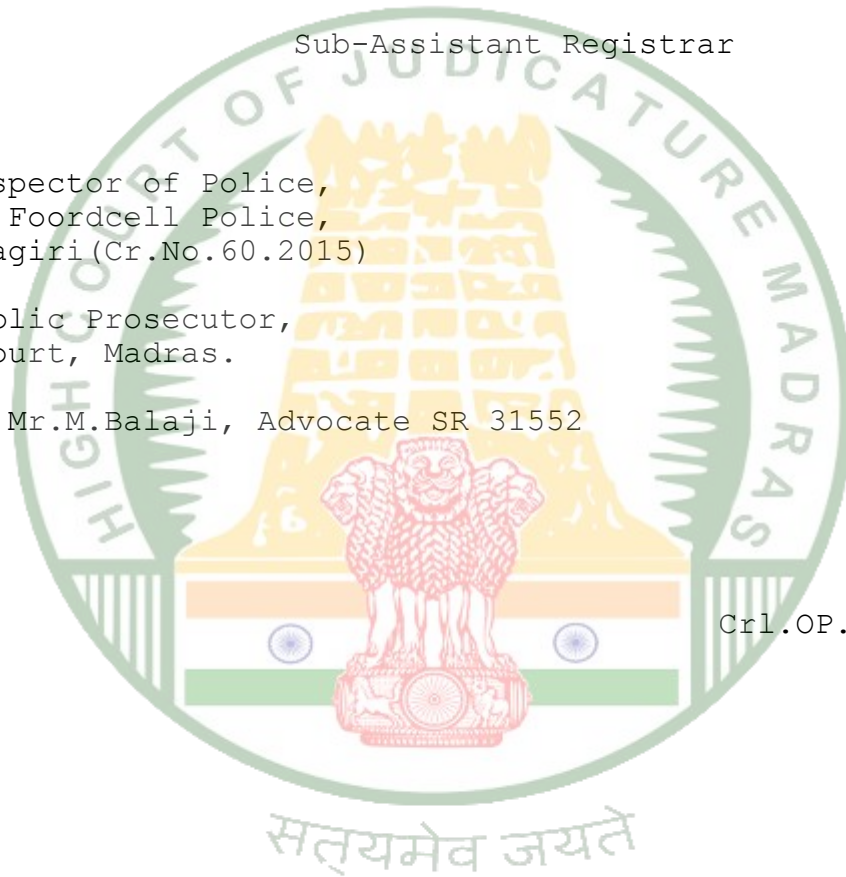
To

1. The Inspector of Police,
CSCID, Foordcell Police,
Krishnagiri (Cr.No.60.2015)

2. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.M.Balaji, Advocate SR 31552

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